

**REGULAR MEETING OF CITY COUNCIL
JUNE 5, 2007**

1:30 P.M.

PRESENT:	Jeff Brain Garrett Spradling Charles Gillingham Leon DeWeese Marvin Dickson	Mayor Mayor Pro-tem Council Member Council Member Council Member
STAFF:	Wanda Klause Jimmy Adams Bruce Roberts Glynn Carlock Kathie Harber Betsy Parks	City Manager Police Chief Police Captain Director of Finance Administrative Asst. Animal Control Supv.
VISITORS:	Judy Mihm Bobbie Adams Ricky Davis Doug Reese Gary Murrow Otis McClellan Mr. Cannady Scott Mills	Texas Gas Service CPA Ray Mac Energy BECD
NEWS MEDIA:	Michelle Berry Don Rice	Borger News Herald Borger News Herald

MINUTES APPROVED: Following review of the minutes of the Regular Meeting of May 15, 2007, motion was made by Council Member DeWeese, seconded by Council Member Spradling, to approve the minutes as written. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

PAYMENT OF EXPENDITURES APPROVED: Following review, motion was made by Council Member Spradling, seconded by Council Member Gillingham, to approve payment of the expenditures for the last half of May as submitted. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCIL MEMBER:

Kathie Harber, Administrative Assistant, administered the Oath of Office and Statement of Elected Officer to Charles Gillingham. Mayor Brain presented Mr. Gillingham with a Certificate of Election.

MAYOR ELECTED FOR ELECTION YEAR 2007-2008: Mayor Brain stated that in compliance with the City Charter the election for the Mayor would be conducted by secret ballot. All voted ballots were handed to the Administrative Assistant who tallied the votes and announced that Jeff Brain had been elected as Mayor for election year 2007-2008.

COUNCIL MEMBER APPOINTED TO SERVE IN ABSENCE OR DISABILITY OF THE MAYOR: Mayor Brain stated that the City Charter sets out provisions for the appointment of a Council member to perform the duties of the Mayor in his absence or disability. Mayor Brain said that this appointment would be conducted by secret ballot. All voted ballots were handed to the Administrative Assistant who tallied the votes and announced that Garrett Spradling would serve as the Council Member who would perform the duties of the Mayor in his absence or disability for election year 2007-2008.

CORRECTED 2005/2006 FINANCIAL AUDIT SUBMITTED: Gary Murrow P.L.I.C., Certified Public Accountant presented a corrected audit for the year ending September 30, 2006. Mr. Murrow briefly explained the minor correction made to the net assets in the Governmental Activities portion of the audit. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Dickson, to receive the corrected audit. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

TEXAS GAS SERVICE STATEMENT OF INTENT TO CHANGE RATES IN THE BORGER SERVICE AREA APPROVED: Doug Reese, Area Manager, Texas Gas Service, submitted a Statement of Intent to change rates in the Borger Service Area volumetric charge by \$0.0073 per Ccf and requested the City Council's consideration of same. Following discussion, motion was made by Council Member Spradling, seconded by Council Member DeWeese, to approve the Statement of Intent to change rates in the Borger service area submitted by Texas Gas Service. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

RECOMMENDATION FROM HUTCHINSON COUNTY APPRAISAL DISTRICT FOR DISPOSITION OF PROPERTY APPROVED: Chief Appraiser of the Hutchinson County Appraisal District Bill Swink submitted a recommendation to dispose of Lot 7, Block 36, 1013 Harrington, Gateway Heights, which did not sell at a tax sale auction. Following discussion, motion was made by, Council Member Spradling, seconded by Council Member DeWeese, to approve the sale of Lot 7, Block 36, Gateway Heights in the amount of \$2,300 as bid. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

RECOMMENDATION FROM PLANNING AND ZONING DEPARTMENT FOR DEMOLITION OF PROPERTY APPROVED:

Chief Appraiser of the Hutchinson County Appraisal District Bill Swink submitted information to the Planning and Zoning Department concerning the disposition of Lot 27 & S/15' of Lot 28, Block 37, 620 Weatherly, Original Townsite, which did not sell at a tax sale auction. The Planning and Zoning Department recommended that the structure on the property be demolished. Following discussion, motion was made by, Council Member DeWeese, seconded by Council Member Gillingham, to approve the demolition of the structure on the property as recommended. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

RECOMMENDATION FROM PLANNING AND ZONING DEPARTMENT

APPROVED: Director of Planning and Zoning Larry Mullenix submitted a request to remove 1127 Valley Drive, Lot 18, Block 10, Phillips Addition from the demolition list. Mr. Mullenix stated that the Council granted Mr. Cannady several extensions to improve this property and said that he has complied with all of the requests made by the Council. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Dickson, to remove from consideration of demolition a structure located at 1127 Valley Drive. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

PLANNING AND ZONING COMMISSION MEMBER REAPPOINTED: Director of Planning & Zoning Larry Mullenix submitted a letter of recommendation from the Planning and Zoning Commission requesting that the City Council consider reappointing Jeff Whittington to a three year term. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to reappoint Jeff Whittington to the Planning & Zoning Commission for a three year term. The motion carried by the following vote:

Ayes: All members present voted aye.
Nays: None.

APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT MADE: Larry Mullenix, Director of Planning and Zoning submitted a recommendation from the Zoning Board of Adjustment for appointments to fill expiring terms. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Gillingham, to appoint John Hadley from alternate member to regular member, reappoint Bob Edmiaston as a regular member, reappoint Mike Blansett as an alternate member, and appoint Randy Lopez as a new

alternate member to fill terms that will expire June 30, 2009. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

RESOLUTION R-008-07 APPROVED: Resolution R-008-07 pertaining to the appointment and reappointment of members to the Zoning Board of Adjustment was submitted for the consideration of the Council. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to approve the resolution. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

Resolution No. R-008-07 reads as follows:

RESOLUTION
R-008-07

A RESOLUTION APPOINTING ONE ALTERNATE MEMBER TO REGULAR MEMBER STATUS, REAPPOINTING ONE REGULAR MEMBER, REAPPOINTING ONE ALTERNATE MEMBER AND APPOINTING ONE ALTERNATE MEMBER TO THE ZONING BOARD OF ADJUSTMENT.

WHEREAS, one member is ineligible for reappointment, and three vacancies have occurred due to the expiration of terms on the Zoning Board of Adjustment

WHEREAS, pursuant to the provisions of Chapter 14, Zoning, Section 14.07.001 of the Code of ordinances of the City of Borger, Texas; and

WHEREAS, in performance of its duty to do so by said Code of Ordinances, the City Council desires to appoint one alternate member to regular member status, reappoint one regular member, reappoint one alternate member and appoint one alternate member to the Zoning Board of Adjustment, to perform the duties and responsibilities as provided by Chapter 14, Zoning, Section 14.07.001 of the Code of Ordinances; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BORGER, TEXAS:

SECTION 1

THAT, John Hadley is hereby appointed to serve as a regular member of the Zoning Board

of Adjustment for a two (2) year term, beginning July 1, 2007 and Expiring June 30, 2009; and

THAT, Bob Edmiaston is hereby reappointed to serve as a regular member of the Zoning Board of Adjustment for a two (2) year term, beginning July 1, 2007 and Expiring June 30, 2009; and

THAT, Mike Blansett is hereby reappointed to serve as an alternate member of the Zoning Board of Adjustment for a two (2) year term, beginning July 1, 2007 and Expiring June 30, 2009; and

THAT, Randy Lopez is hereby appointed to serve as an alternate member of the Zoning Board of Adjustment for a two (2) year term, beginning July 1, 2007 and Expiring June 30, 2009; and

This resolution shall be recorded in the minutes of the City Council and filed for permanent recorded in the office of the City Secretary.

PASSED AND APPROVED this 5th day of June 2007.

Mayor

ATTEST:

City Manager

COUNCIL LIAISON TO THE BORGER ECONOMIC DEVELOPMENT

CORPORATION DESIGNATED: Mayor Brain explained to the Council that former Council Member Loftis previously served as the Council liaison to the BEDC. Mayor Brain further explained the importance and duties of the Council liaison and asked if a Council Member was willing to serve in this capacity. Following discussion, motion was made by Council Member DeWeese, seconded by Council Member Gillingham, to designate Council Member Spradling as the Council liaison to the BEDC. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

BORGER ECONOMIC DEVELOPMENT CORPORATION DIRECTORS

REAPPOINTED: BEDC Chairman Scott Mills requested that the City Council consider reappointing Harvey Hathaway and Harvey Hilbert for three year terms. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Gillingham, to reappoint Harvey Hathaway and Harvey Hilbert to second terms on the BEDC Board of Directors. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

REQUEST FROM BORGER ECONOMIC DEVELOPMENT CORPORATION

CONCERNING APPROVAL OF AN INCENTIVE AGREEMENT: Scott Mills, President, of the Borger Economic Development Corporation, submitted a letter requesting Council approval of an incentive agreement between the Borger Economic Development Corporation and Morgan Metal Finishing in the amount of \$175,000.00. Mr. Mills said the agreement requires Morgan Metal Finishing to hire and maintain a work force of thirty by November of 2010. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member DeWeese, to approve the incentive agreement between the Borger Economic Development Corporation and Morgan Metal Finishing. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

REQUEST FROM BORGER ECONOMIC DEVELOPMENT CORPORATION

CONCERNING APPROVAL OF AN INCENTIVE AGREEMENT: Scott Mills, President of the Borger Economic Development Corporation, submitted a letter requesting Council approval of an incentive agreement between the Borger Economic Development Corporation and Sglass, Ltd., in the amount of \$89,450.00. Mr. Mills said the agreement requires Sglass to hire and maintain a work force of fifteen by November of 2010, or construct and/or improve property belonging to BEDC so as to have doubled in appraised value. Following discussion, motion was made by Council Member Gillingham, seconded by Council Member Dickson, to approve the incentive agreement between the Borger Economic Development Corporation and Sglass, Ltd. The motion carried by the following vote:

Ayes: All members present voted aye.

Nays: None.

PRELIMINARY AND FINAL RE-PLAT RECEIVED - PUBLIC HEARING

SCHEDULED: Director of Planning & Zoning Larry Mullenix submitted a recommendation from the Planning & Zoning Commission to re-plat Unit 1, North Park Addition, creating Lot 3 for the proposed Holiday Inn Express Hotel, and requested that the Council receive the plat and set a public hearing on same. Following discussion, motion was made by Council Member Spradling, seconded by Council Member Dickson, to receive the plat and schedule a public hearing for 1:30 p.m., June 19, 2007 to allow for public comment. The motion carried by the

following vote:

Ayes: All members present voted aye.

Nays: None.

QUESTIONS AND COMMENTS FROM CITIZENS: Bobbie Adams said she had not seen any progress on the installation of lights on Wilson Street, the installation of a deer crossing sign on Wilson, or the installation of a school zone sign on Tristram. Ms. Adams was told that the City was working on this request.

MEETING ADJOURNED: There being no further business, motion was made by Council Member Gillingham, seconded by Council Member Spradling, to adjourn the meeting.

Mayor

ATTEST:

City Manager